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Assistant Commissioner for Patents

Washington, D.C. 20231

On April 27, 2001

QWEST COMMUNICATIONS INTERNATIONAL, INC.

By: _____

David Halvorson

PATENT

Qwest Docket No.: 1692



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HANSEN ET AL.

Application No.: 09/660,785

Filed: September 13, 2000

For: ONLINE CALL ALERT
NOTIFICATION

Examiner: Not Assigned

Art Unit: Not Assigned

DECLARATION ACCOMPANYING PETITION FOR
FILING OF PATENT APPLICATION WHEN
INVENTOR IS UNAVAILABLE TO EXECUTE
PAPERS UNDER 37 CFR §1.47(A)

Assistant Commissioner for Patents
Washington, D.C. 20231

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MAY 23 2001

OFFICE OF PETITIONS

Sir:

I, David Halvorson, declare as follows:

- 1) I am employed as Senior Attorney at Qwest Communications International, Inc. ("Qwest"). I am responsible for handling patent matters for Qwest.
- 2) Qwest retains outside patent attorneys to file patent applications on its behalf. As part of their function, it is the responsibility of the outside patent attorneys to work with inventors in order to draft patent applications and file the patent applications with the United States Patent Office. Among other responsibilities assigned to and generally assumed by the outside counsel is the responsibility to prepare any necessary formal documents for filing with the United States Patent Office and to obtain any necessary signatures of the inventors. If the signatures of the inventors are not available at the time of filing the patent application, it is the responsibility of the attorney filing the patent application to obtain the necessary signatures.

- 3) In the case of the present application, the inventors apparently unavailable for signing the necessary oath or declaration at the time of filing. As a result, the present application was filed without signatures.
- 4) On or about November 7, 2000, Qwest received a Filing Receipt together with a Notice to File Missing Parts of Nonprovisional Application (both mailed by the U.S. Patent Office on October 27, 2000.
- 5) Qwest merged with U.S. West during the summer of 2000 and, as a result, has undergone significant changes including attrition of a large number of employees including virtually all employees of Qwest's legal department involved with prosecution of patents. As a result, paperwork associated with the present application was not fully processed until March, 2001.
- 6) On March 14, 2001, Qwest sent a copy of the Notice to File missing parts to Paul Schwarts of Schwartz & Schwartz (the attorney who had originally filed the present application).
- 7) Apparently as a result of a communication error, Mr. Schwartz did not obtain the necessary signatures and did not file a response to the Notice to File Missing Parts.
- 8) In the late afternoon on April 26, 2001, Mr. Schwartz notified the undersigned that a response to the Notice to File Missing Parts had not been filed.
- 9) The undersigned immediately undertook diligent efforts to contact the inventors in order to obtain necessary signatures by telephoning the inventors at their last known telephone numbers. Unfortunately, two of the inventors are no longer employed by Qwest and were not available at their last known telephone numbers. The third inventor, Mr. Scott Morrison was available and has executed the declaration.

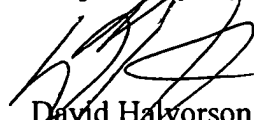
I hereby declare that all statements made herein of any own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these

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statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Respectfully submitted,



David Halvorson
Reg. 38,395

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Date: April 27, 2001

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